

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Robert L. Watkins and Dr. Robert J. Williams,)	Civil Action No.: 1:17-cv-00122-RBH
)	
Plaintiffs,)	
)	
v.)	ORDER
)	
First Citizens Bank and Trust Company, Inc.,)	
<i>Formerly Peoples Community Bank, f/k/a</i>)	
<i>Peoples Community Bank,</i>)	
)	
Defendant.)	
_____)	

This matter is before the Court for review of the Report and Recommendation (R & R) of United States Magistrate Judge Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) (D.S.C.). *See* ECF No. 73. The Magistrate Judge recommends granting Defendant's motion for summary judgment and terminating as moot Plaintiffs' motion for assistance in obtaining a cashier's check.

The Magistrate Judge makes only a recommendation to this Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with this Court. *See Mathews v. Weber*, 423 U.S. 261, 270-71 (1976). The Court is charged with making a de novo determination of those portions of the R & R to which specific objection is made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions. *See* 28 U.S.C. § 636(b)(1).

No parties have filed objections to the R & R, and the time for doing so has expired.¹ In the absence of objections to the R & R, the Court is not required to give any explanation for adopting the

¹ Defendant's objections were due by October 16, 2017, and the pro se Plaintiffs' objections were due by October 19, 2017. *See* ECF Nos. 73 & 75.

Magistrate Judge's recommendations. *See Camby v. Davis*, 718 F.2d 198, 199-200 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that "in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation'" (quoting Fed. R. Civ. P. 72 advisory committee's note)).

After a thorough review of the record in this case, the Court finds no clear error and therefore adopts and incorporates by reference the R & R [ECF No. 73] of the Magistrate Judge. Accordingly, the Court **GRANTS** Defendant's motion for summary judgment [ECF No. 31] and **DISMISSES** this case *with prejudice*. The Court **DENIES AS MOOT** Plaintiffs' motion for assistance in obtaining a cashier's check [ECF No. 70].

IT IS SO ORDERED.

Florence, South Carolina
October 23, 2017

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge